

**STATE OF IDAHO
OUTFITTERS AND GUIDES LICENSING BOARD
BOARD MEETING**

MINUTES

September 22-25, 2003

**(KEY: MSC = MOTION MADE, SECOND, CARRIED)
(MSF = MOTION MADE, SECOND, FAILED)**

THE REGULAR MEETING OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD WAS CALLED TO ORDER AT 8:41 AM, MONDAY, SEPTEMBER 22, 2003, IN THE BOARD ROOM, 1365 NORTH ORCHARD, ROOM 172, BOISE, IDAHO. BOARD CHAIRMAN WAYNE HUNSUCKER AND MEMBER BILL BERNT WERE IN ATTENDANCE. ALSO PRESENT WERE EXECUTIVE DIRECTOR JAKE HOWARD, AND SECRETARY KIM WALLETT. A QUORUM WAS NOT PRESENT.

Review of Agenda : Director Howard noted that the agenda had changed slightly. The hearing at 8:30 AM on Wednesday was moved to 4 PM. The hearing on Thursday was been cancelled. Those time slots were opened for discussion of other matters.

Financial Report – Director Howard: A budget analysis was presented to the Board members present for review and comment. Director Howard asked for Board action on the FY04 budget.

STAFF REPORTS – Enforcement Report – BJ Snooks – Enforcement Supervisor: Mr. Snooks presented the Board with two documents that show a breakdown of cases. Mr. Snooks also presented the Board with the current list of Outfitters that have requested Clearwater Boat Stickers. Mr. Snooks discussed the difference between booking agents and guides, and the confusion that is occurring on the various river sections. Mr. Snooks gave an update on Coast Guard licensing. Lieutenant Gilmore will be meeting with the CG Regional commander on September 29 to discuss the possibility of exempting Idaho Outfitters & Guides from Coast Guard Rules on certain bodies of water and or reducing the licensing requirement and training hours needed for Outfitters and Guides to obtain the Coast Guard license.

DIRECTOR'S REPORT – Executive Director, Jake Howard: Director Howard reviewed the licensing report with the Board. Director Howard also went over the proposal for the GIS Program and stated that there is a significant commitment from numerous agencies to support this project. Director Howard briefly went over the correspondence he had received with regard to SA7B and said that it would be discussed later in the meeting.

Recessed for lunch @ 12:10 PM and reconvened at 1:27 PM with Chairman Wayne Hunsucker, Vice Chairman Scott Farr, and members Bill Bernt and Ray Lyon present.

Also present were Executive Director Jake Howard, Board Attorney Steve Scanlin, and Secretary Kim Wallett.

MSC (MOTION BY BERNT, SECONDED BY LYON – UNANIMOUS) TO ACCEPT PROPOSED FY 2004 BUDGET AS PRESENTED BY DIRECTOR HOWARD.

Executive Session: In accordance with the provisions of Sec. 67-2345, Idaho Code, MSC (MOTION BY FARR, SECOND BY BERNT – UNANIMOUS) TO MOVE THE BOARD INTO EXECUTIVE SESSION AT 1:27 PM TO DISCUSS PERSONNEL ISSUES. MSC (MOTION BY LYON, SECOND BY FARR-UNANIMOUS) AT 1:45 PM TO COME OUT OF EXECUTIVE SESSION WITH NO DECISION MADE.

STAFF REPORTS – Steve Scanlin – Rules and Legislation Update: Mr. Scanlin presented the temporary/proposed rules that are currently in effect and that will be approved during the upcoming Legislative session. He discussed several minor changes to the temporary/proposed rules related to SA 6 & SA7B due to additional comments received from the industry at the Board's invitation since the last Board meeting. Mr. Scanlin also presented the final version of the proposed rule changes addressing cost recovery. He explained that they are not in effect. Mr. Scanlin discussed the differences between the temporary proposed rules and the proposed rules packages and explained the Temporary/proposed rules went into effect in July, the changes to them would go into effect upon approval of the Board and upon notification to the industry, and the other proposed rules would go into effect after the legislature. He noted that the temporary rule needed to be ratified by the legislature. He also noted that the Board needed to take action on both rules packages during the meeting. Mr. Scanlin presented that proposed legislation for a fee increases that had been made available to the public for review and comment. Director Howard said that no other legislation will be presented this year and that the Board needed to take action on the legislation during the meeting.

Also discussed was how the IOGLB staff handles falsified applications. Mr. Farr stated that applicants that falsify information need to be assessed an administrative fee enabling IOGLB costs.

MSC (MOTION BY FARR, SECOND BY LYON – UNANIMOUS) APPLICANTS THAT FALSIFY AND/OR FAIL TO DISCLOSE INFORMATION ON AN APPLICATION MAY BE SUBJECT TO COST RECOVERY AS DETERMINED BY THE BOARD. ADMINISTRATIVE NOTE: IT IS A FELONY TO FALSIFY INFORMATION.

BOARD ACTION – IOGLB/FEDERAL MOU: Director Howard presented the MOU to the Board and stated that all comments have been received and incorporated. He said the next work group meeting will be held in October and the Group is ready to finalize MOU document. Board member Farr expressed concern with the wording included in IV.C.2.b, with regard to New Outfitter Business Opportunities. Director Howard agreed to bring this up at the task force meeting and see if further clarification can be made. He requested that wording be added that the statement does not apply to one-time amendments. One-time amendments (minor) should be handled as one-time per year not

per lifetime. He also expressed concerns with the timeline shown in Exhibit 4 – Introduction. Board Member Farr would like to see minor amendments and one-time amendments excluded from this timeline. Director Howard will suggest to the Agencies that a new exhibit be created to handle minor amendments and one-time amendments. Also, add the statement “up to twelve months” to the introduction in Exhibit 1. Mr. Farr commented that overall he was very pleased with the MOU, that it was much more detailed and clearer. He complimented Director Howard on the good work he had done in negotiating a revised and improved version of the MOU. MSC (MOTION BY LYON, SECONDED BY BERNT – UNANIMOUS) TO ACCEPT THE DRAFT MOU WITH THE ABOVE CHANGES AND/OR CLARIFICATIONS APPLIED.

IOGLB/IDFG MOU – Brad Compton – IDFG: Mr. Compton expressed his thanks for allowing him to appear. He said that the MOU is a working document at this time and is not yet ready for public review. Only clarification and other minor changes have been requested from IDFG staff that are reviewing the document. Board member Farr also made numerous suggestions and recommendations and directed Mr. Howard to review those with the IDFG. The Board members said that were pleased with the process being made on the IOGLB/IDFG MOU and were encouraged by the ongoing dialogue.

Mr. Compton was asked about outfitter tag allocation for the upcoming year. He stated that he didn’t feel that there would be any more capped areas added and all but one of the general allocation areas should stay the same.

June Board Minutes: MSC (MOTION BY BERNT, SECONDED BY FARR – UNANIMOUS) TO ACCEPT THE JUNE BOARD MINUTES AS PRESENTED.

Meeting recessed at 5:05 PM and reconvened at 8:30 AM, Tuesday, September 23, 2003, with Chairman Hunsucker, Vice Chairman Scott Farr, and members Bill Bernt and Ray Lyon present. Also present were Executive Director Jake Howard, Board Counsel Steve Scanlin, and Secretary Kim Walleit.

ACCESS IDAHO (ON-LINE LICENSING) – Greg Harness, Jeff Walker: Mr. Walker introduced the project and gave a brief overview of how the on-line licensing will work. He also explained how Access Idaho will work with IOGLB’s database. The on-line process follows the current paper process used by the IOGLB. The current timeline for completion of the programming is: Outfitters & Designated Agents renewal ready in December 2003; Guides in March 2003; Use Reports & Amendments in Summer/Fall 2004. Director Howard stated a process for new applicants will be developed next year and after the complete implementation of on-line renewal of applications.

Denial Hearing – Joe McLay – BJ Snooks, Steve Scanlin: Mr. McLay failed to appear. Mr. Snooks and Mr. Scanlin attempted to contact him and received no answer at his home. The denial will stay in effect.

Review – Matter between Olivia Expeditions, Olivia James; Ron Gillett, Triangle C; Randy Hess, White Otter Outdoor Adventures; and Sawtooth Adventure Company, Jared Hopkinson: Mr. Snooks presented a complaint submitted to the Board by Triangle

C, White Otter and Sawtooth Adventure Company, explained a series of letters between them and Olivia Expeditions, and made those letters available to the Board. Director Howard provided a follow up letter from Mr. Gillett and Mr. Hess questioning the severity of his action. Mr. Snooks stated the complaint alleged that advertisement on Olivia Expeditions' website was potentially misrepresenting the activities of other outfitters in the area. He said that Board Counsel Scanlin and he reviewed the matter and advised Director Howard to be concerned with the content and tone of the advertisement. Director Howard said that typically in similar situations staff will document a situation via a letter and allow the alleged party to address the concern before disciplinary action is considered.

The Board reviewed a copy of Olivia Expeditions' website advertisement and their current website. The Board stated that they agreed that the complainants had a legitimate concern and that Director Howard's action was appropriate to resolving it. They determined that because the advisements in question had been removed immediately following Director Howard's letter no additional action was warranted. They asked Director Howard to prepare letters to the parties detailing the Board's action in this matter. They also directed him to follow-up on the overall matter and to take additional action as needed if this matter is not rectified to his satisfaction.

MSC (MOTION BY FARR, SECONDED BY LYON – UNANIMOUS) THAT THE BOARD ESTABLISH A POLICY AS FOLLOWS: "THAT IT IS UNPROFESSIONAL/ UNETHICAL CONDUCT AND DETRIMENTAL TO THE INDUSTRY AS A WHOLE, FOR AN OUTFITTER OR A REPRESENTATIVE THEREOF, TO MAKE SPECIFIC UNSUBSTANTIATED AND/OR FALSE NEGATIVE COMPARISONS OR STATEMENTS AGAINST OTHER OUTFITTER BUSINESSES"; AND THAT THE POLICY BE PLACED IN THE IOGLB POLICY HANDBOOK.

PROPOSED FEE INCREASE – Guests of the Board were Brad Hoaglund, IOGA Representative; Grant Simonds, IOGA Executive Director; Peter Grubb, ROW Inc; Doug Tims, Northwest River Co; Shelly Fisher, IOGA Representative; David Hahn, DFM; Eric Milstead, Legislative Services. Director Howard stated that he had discussed a recent letter from IOGA with Mr. Simonds and together they felt that it might be useful for the Board and IOGA leadership to meet. Mr. Simonds introduced the IOGA representatives that were present and gave a brief overview of the concerns that IOGA has regarding a fee increase. Mr. Tims & Ms. Fisher expressed their concerns regarding the increase due to the current economy. Mr. Tims specifically stated that due to the poor economy, he has been forced to reduce his employment force and other outfitters are also unable to pursue additional expenses or supplies. Mr. Grubb discussed the matter of guide licensing. He feels that the possibility of not licensing guides should be looked at for numerous reasons. Mr. Hahn and Mr. Milstead discussed the IOGLB Free fund balance and stated that it appeared a funding increase was in order or a cut in spending would have to occur. Director Howard explained how the increase will assist the IOGLB and how not getting the increase would cause the IOGLB to limit services and be prohibitive to meeting statutory responsibilities. Mr. Hoaglund suggested that the Board provide additional information to the industry because it appeared that it was not clear why an increase was needed and what would happen if it did not occur.

Following the discussion with IOGA on the fee increase, Board Member Lyon brought to the attention of the Board that the information given to the industry, with regard to Enforcement spending, was slightly misleading in that information provided to the public showed a larger increase in spending in recent years than actually occurred. He stated that he thought in actuality the increase was only a change in accounting within the IOGLB made by former Director Sangrey. The Prosecutor costs were previously paid out of the administration budget and were adjusted to be paid out of the enforcement budget. Director Howard said that he thought the information provided was regarding the growth enforcement budget, not overall. He said that would look into the matter and would correct any inaccuracies in the information regarding spending or the budget. The Board asked Director Howard to work out mechanics of allocation cost recovery program prior to their fall meeting.

MSC (MOTION BY BERNT, SECONDED BY LYON – UNANIMOUS) TO APPROVE THE FEE INCREASE AS PRESENTED BY DIRECTOR HOWARD AND IN THE RULES AND LEGISLATION AS PRESENTED BY BOARD COUNSEL SCANLIN.

Recessed for lunch @ 12:40 PM and reconvened at 1:40 PM with Chairman Hunsucker, Vice Chairman Scott Farr, and members Bill Bernt and Ray Lyon present. Also present were Executive Director Jake Howard, Board Counsel Steve Scanlin, and Secretary Kim Wallett.

OPERATING AREA ADJUSTMENT/SA7B – Idaho Guide Service – Olin Gardner: Director Howard introduced Mr. LuVerne Grussing, BLM Outdoor Recreation Planner, who appeared via conference call. The Board determined that Idaho Guide Service did not have use on SA7B as outlined in letters dated March 12 and May 23, 2003, and therefore is in non-use.

MSC (MOTION BY LYON, SECOND BY BERNT – UNANIMOUS) TO MOVE THE BOARD INTO EXECUTIVE SESSION AT 2:40 PM TO DISCUSS LITIGATION MATTERS WITH THE BOARD’S ATTORNEY. MSC (MOTION BY BERNT, SECOND BY FARR – UNANIMOUS) AT 3:24 PM TO COME OUT OF EXECUTIVE SESSION WITH NO DECISIONS MADE.

MSC (MOTION BY FARR, SECOND BY BERNT – UNANIMOUS) THAT THE IDAHO GUIDE SERVICE’S LICENSE BE AMENDED TO REMOVE SECTION SA7B AND THAT IDAHO GUIDE SERVICE NOT BE PERMITTED TO PROVIDE FISHING ON THAT SECTION FROM SEPTEMBER 15 THROUGH THE FOLLOWING MARCH 31. THIS IS CONSISTENT WITH THE CRITERIA USED FOR ALL OTHER OUTFITTERS AFFECTED BY THE REDUCTION OF NUMBERS ON THIS SECTION. THE REMOVAL WILL NOT TAKE PLACE UNTIL THE 2004 LICENSE YEAR LICENSE RENEWAL DATE IN ORDER TO ALLOW IDAHO GUIDE SERVICE TO PROVIDE OUTFITTING SERVICES TO THE CLIENTS THAT THEY MAY HAVE BEEN BOOKED PRIOR TO THE NOTICE OF REDUCTION OF THE NUMBER OF OUTFITTERS ON SECTION SA7B WHICH WAS RECEIVED ON OR ABOUT MARCH 15, 2003. IDAHO GUIDE SERVICE MUST PROVIDE

PROOF THAT THESE BOOKINGS WERE MADE PRIOR TO THIS DATE INCLUDING DATED RECEIPTS OR OTHER POSITIVE FORM OF PROOF OF BOOKING DATES TO THE BOARD BY OCTOBER 15, 2003.

Director Howard noted this Idaho Guide Service was the final non-use hearing on the SA 6 and SA 7 matters and that the Board's decision on this overall matter had been postponed from their June meeting due to Idaho Guide Service's request for an extension of their hearing. The Board further discussed with Mr. Grussing the number of licensed outfitters and the number of boats that are being recommended by the Board. Director Howard shared several letters that he had received from industry representative on related matters. Included were letters from Killgore Adventures, River Adventures LTD, Red Woods Outfitters, Salmon River Experience, Exodus Outdoor Adventures, and The Lodge at Riggins Hot Springs. Board member Bernt said he had discussed the matter with Heinz Sipple who had concerns with limits on SA7 below Vinegar Creek.

MSC (MOTION BY BERNT, SECONDED BY LYON – UNANIMOUS) POWER BOATS FROM VINEGAR CREEK TO SPRING BAR BOAT RAMP AND FLOAT BOATS FROM VINEGAR CREEK TO ISLAND BAR BOAT RAMP, OPEN FROM SEPTEMBER 15 TO MARCH 31 ONLY. EACH FLOAT BOAT OUTFITTER MAY USE AT ANY ONE TIME A MAXIMUM OF THREE (3) BOATS FOR FISHING, OR TWO (2) ADDITIONAL BOATS FOR FISHING WHEN PERMITTED BY THE BLM AND WITH THE NOTIFICATION TO AND CONCURRENCE OF THE BOARD'S EXECUTIVE DIRECTOR, AND EACH POWER BOAT OUTFITTER MAY USE AT ANY ONE TIME A MAXIMUM OF TWO (2) BOATS FOR FISHING, OR ONE (1) ADDITIONAL BOAT FOR FISHING WHEN PERMITTED BY THE BLM AND WITH THE NOTIFICATION TO AND THE CONCURRENCE OF THE BOARD'S EXECUTIVE DIRECTOR.

MSC (MOTION BY BERNT, SECONDED BY LYON – UNANIMOUS) WITH REGARD TO SA6; THE PENDING RULE WILL BE CHANGED TO READ "CORN CREEK TO SPRING BAR BOAT RAMP WITH NO OUTFITTER FISHING BELOW VINEGAR CREEK FROM SEPTEMBER 15 THROUGH MARCH 31 EXCEPT ON A CASE-BY-CASE BASIS, OUTFITTER FISHING MAY OCCUR WHEN PERMITTED BY THE BLM AND WITH THE NOTIFICATION TO AND CONCURRENCE OF THE BOARD'S EXECUTIVE DIRECTOR".

Chairman Hunsucker excused himself at 3:35pm to attend to a personal business matter.

STAFF REPORTS – Technical Records Specialist I – Leanne Reincke: Ms. Reincke presented the Board with information concerning all new outfitter applications, buy/sell matters, and amendments that have been completed since the June 2003 Board meeting. Included in that packet was information on pending new opportunities. The Board expressed concern with new outfitter application submitted by John Aldous that included hunting for deer and elk on his private land of seventeen acres. The Board advised Director Howard that as a matter of practice, less than 1000 acres may be insufficient for hunting activities on private land unless the terrain was a factor. Ms. Reincke also gave

the Board a report on allocation and stated that she, Director Howard and Board Member Lyon will be meeting with IDFG this fall to further discuss allocation matters.

Meeting recessed at 5:15 PM and reconvened at 8:40 AM, Wednesday, September 24, 2003, with Chairman Hunsucker, Vice Chairman Scott Farr, and members Bill Bernt and Ray Lyon present. Also present were Executive Director Jake Howard, Board Counsel Steve Scanlin, and Secretary Kim Wallett.

ENFORCEMENT REPORT – BJ SNOOKS - DROWNINGS: *Action Whitewater – Bailey Rapids – August 14, 2003:* Mr. Snooks informed the Board of a boating accident that occurred and the drowning death of one of the clients on the trip. This matter has been investigated and it was determined that the Outfitter was not at fault. Mr. Snooks will be contacting the family to notify them that we have investigated and ask them for any comments they may have with regard to the situation. *Lake Pend O'Reille – June 25, 2003:* Mr. Snooks advised the Board of a situation that occurred at this lake. A woman that was climbing a cliff along the side of the lake took hold of sagebrush that came loose and she then fell down the cliff. While falling, she struck her head twice, one of which broke her neck. The County Search & Rescue recovered her body nearby floating in the lake. The company was found not to be at fault in this matter.

BOARD ACTION: December Board Meeting was tentatively scheduled for Monday December 1st thru 3rd.

Denial Hearing – Mark Roberts: Mr. Roberts was brought before the board with regard to previous felony convictions set forth in his application. Mr. Roberts provided the IOGLB with a letter of explanation for his previous actions. He states that he realizes that he made mistakes as a “kid” and feels that he has grown up and learned from those mistakes. Mr. Roberts has applied to work for Idaho Outdoor Wilderness, Darwin Vander Esch and is currently working for him, packing equipment into camps although not guiding in any way.

MSC (MOTION BY FARR, SECONDED BY LYON – UNANIMOUS) TO ISSUE A PROBATIONARY LICENSE FOR THREE YEARS WITH NO RESTRICTIONS ON AMENDMENTS. COST RECOVERY TO BE ASSESSED IN THE AMOUNT OF \$141.45.

Recessed for lunch @ 12:00 PM and reconvened at 1:30 PM with Chairman Wayne Hunsucker, Vice Chairman Scott Farr, and members Bill Bernt and Ray Lyon present. Also present were Executive Director Jake Howard, Board Counsel Steve Scanlin, Enforcement Attorney Steve Tobiason, Enforcement Supervisor BJ Snooks, and Secretary Kim Wallett.

Show Cause Hearing – Dave Williams: Also present for this hearing was Conservation Officer Dane Cook, IDFG. Mr. Williams was brought before the board on an allegation of outfitting and/or guiding for an activity for which he was not licensed. Mr. Tobiason and Officer Cook explained to the Board how Mr. Williams allegedly accepted monies for an elk hunt when he is only licensed for bear and cougar hunting. Mr. Williams

maintained that while he had accepted monies for a cougar hunt, he was only assisting a friend, for no compensation, with retrieving an elk that had been killed by the friend.

Executive Session: In accordance with the provisions of Sec. 67-2345, Idaho Code, MSC (MOTION BY LYON, SECOND BY BERNT – UNANIMOUS) TO MOVE THE BOARD INTO EXECUTIVE SESSION AT 5:15 PM TO DISCUSS PERSONNEL MATTERS. MSC (MOTION BY LYON, SECOND BY BERNT – UNANIMOUS) AT 5:40 PM TO COME OUT OF EXECUTIVE SESSION WITH NO DECISIONS MADE.

MSC (MOTION BY LYON, SECONDED BY BERNT – UNANIMOUS) TO FIND DAVID WILLIAMS IN VIOLATION OF UNETHICAL/UNPROFESSIONAL CONDUCT AND PLACE HIM ON PROBATION FOR A TERM OF TWO YEARS WITH NO RESTRICTION ON AMENDMENTS. COSTS TO BE ASSESSED IN THE AMOUNT OF \$500.00.

Meeting recessed at 5:45 PM and reconvened at 8:45 AM, Thursday, September 25, 2003, with Vice Chairman Scott Farr, and members Bill Bernt and Ray Lyon present. Also present were Executive Director Jake Howard, and Secretary Kim Walleth. Board Counsel Steve Scanlin arrived at 9:15 AM.

Pending Sale – Pat Prentice: Director Howard requested Board direction on how to move forward with this matter. The Board reviewed the sale information and instructed Director Howard to request the seller to be more specific in the sales agreement. The Board is in support of recognizing the sale and issuing the license once these matters are cleared up. The Board instructed Director Howard to take action to address the non-use issue on the rivers licensed to Duncan and Prentice.

BOARD ACTION – MULTIPLE LICENSED OUTFITTERS FOR RIVER OR LAKE: MSC (MOTION BY BERNT, SECONDED BY LYON – UNANIMOUS) FOR IOGLB STAFF TO RESEARCH THE POSSIBILITY OF REQUIRING THAT OUTFITTERS MAINTAIN A SINGLE LICENSE FOR EACH OCCUPIED OPERATING AREA OR RIVERS/LAKES, WHERE THERE ARE LIMITATIONS ON THE NUMBER OF OUTFITTERS IN A SPECIFIC OPPORTUNITY. THIS MAY REQUIRE THAT THEY PAY AN ANNUAL LICENSE FEE FOR EACH, SUBMIT USAGE REPORTS FOR EACH, AND BE ABLE TO DIFFERENTIATE BETWEEN CLIENTS AND BUSINESSES.

Denial Hearing – Johnny Spratling: Also present for this hearing were Grant Simonds IOGA Director, Blaine Hamilton Outfitter. Mr. Spratling was brought before the Board with regard to failure to disclose a fish & game violation on his guide application. Mr. Spratling explained that he misunderstood the application and felt that, because he had not appeared before a court, he did not actually have a conviction. It was explained to him that once a fine is paid and a guilty plea is established, a conviction is present. Mr. Spratling was also instructed to study the IOGLB laws and rules prior to guiding clients. MSC (MOTION BY LYON, SECONDED BY BERNT – UNANIMOUS) TO ISSUE A LICENSE TO MR. SPRATLING. COST RECOVERY TO BE ASSESSED IN THE AMOUNT OF \$141.45.

Stipulation Agreements – Jared Ibarra & Nathan Luther – BJ Snooks:

Mr. Ibarra received a citation for bear baiting. He agreed to and signed a stipulation to two counts with fines assessed at \$300 and costs of \$324.81. He will have 60 days to pay that amount and would be placed on probation for one year with no amendments allowed for that year. If the monies are not paid in a timely manner, he will be found in default and will be required to appear before the board. MSC (MOTION BY BERNT, SECONDED BY LYON – UNANIMOUS) TO ACCEPT THE STIPULATION AS PRESENTED TO THE BOARD.

Mr. Luther received a citation for illegal outfitting. He agreed to stipulate to one count of unethical/unprofessional conduct with fines assessed at \$4,000. The first \$2,000 of the fine to be paid within 60 days, the remainder to be paid in equal installments, as detailed in the agreement. Placed on three years probation with no amendments for that time period. If the monies are not paid in a timely manner, he will be found in default and will be required to appear before the board. MSC (MOTION BY LYON, SECONDED BY BERNT – UNANIMOUS) TO ACCEPT STIPULATION AS PRESENTED TO THE BOARD.

MSC (MOTION BY BERNT, SECOND BY LYON – UNANIMOUS) AT 12:30 PM TO ADJOURN.

With no further business to come before the Board, the meeting was adjourned at 1:30 PM, September 25, 2003.

WAYNE HUNSUCKER, CHAIRMAN

ATTEST:

JAKE HOWARD, EXECUTIVE DIRECTOR